09/845768

Cofc

PATENT
158822

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,054,414

Issued: May 30, 2006

Inventor(s): Bergman et al.

Assignee: Interactive Technologies Inc.

For: WIRELESS PHONE-INTERACTIVE DEVICE

CERTIFICATE OF MAILING

I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 30, 2007.

William J. Zychlewicz
Reg. No. 51,366

Attention Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT UNDER 37 C.F.R. 1.322(a)

Sir:

Attached is Form PTO/SB/44 suitable for printing.

Submitted herewith is a copy of the Notice of Allowance and Fee(s) Due and the Notice of Allowability dated May 5, 2004 and a copy of the Amendment filed February 9, 2004. Applicants respectfully submit that the corrections shown below are in accordance with the Amendment filed February 9, 2004. The corrections thereof do not involve such changes in the patent as would constitute new matter or would require re-examination. Applicants respectfully request a Certificate of Correction for the following:

In Claim 22, column 16, line 16, between "interface" and "is" insert -- device --.

In Claim 25, column 16, line 28, delete "if it exist," and insert therefor -- if it exists, --

The corrections are not due to any error by Applicants and no fee is due.

The Assignment for this patent is recorded on Reel 012127/Frame 0876.

Respectfully submitted,

Date: 11/30/07

William J. Zychlewicz
Reg. No. 51,366
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

PTO/SB/44 (09-07)
Approved for use through 08/31/2010. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO.	:	7,054,414
APPLICATION NO.	:	09/845,768
ISSUE DATE	:	May 30, 2006
INVENTOR(S)	:	Bergman et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Claim 22, column 16, line 16, between "interface" and "is" insert -- device --.
In Claim 25, column 16, line 28, delete "if it exist," and insert therefor -- if it exists, --.

MAILING ADDRESS OF SENDER:
William J. Zychlewicz
Armstrong Teasdale LLP
One Metropolitan Sq., Suite 2600
St. Louis, MO 63102

6 2007

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T_SLW02424

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 05/05/2004

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402

EXAMINER	
RAMAKRISHNAIAH, MELUR	
ART UNIT	PAPER NUMBER
2643	13

DATE MAILED: 05/05/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,768	05/01/2001	John Todd Bergman	1420.001US1	4951

TITLE OF INVENTION: WIRELESS PHONE-INTERFACE DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1330	$300	$1630	08/05/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

ENTERED
Date: 5/20/04
By: mce

NOAR

12552-418

COPY

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 05/05/2004

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,768	05/01/2001	John Todd Bergman	1420.001US1	4951

TITLE OF INVENTION: WIRELESS PHONE-INTERFACE DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1330	$300	$1630	08/05/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
RAMAKRISHNAIAH, MELUR	2643	379-037000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ❑ individual ❑ corporation or other private group entity ❑ government

4a. The following fee(s) are enclosed:

❑ Issue Fee
❑ Publication Fee
❑ Advance Order - # of Copies _____

4b. Payment of Fee(s):

❑ A check in the amount of the fee(s) is enclosed.
❑ Payment by credit card. Form PTO-2038 is attached.
❑ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) (Date)

NOTE; The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

COPY

Notice of Allowability	Application No. 09/845,768	Applicant(s) BERGMAN ET AL.	
	Examiner Melur Ramakrishnaiah	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *2-9-2004*.

2. ☒ The allowed claim(s) is/are *1-3,7,8,11-23 and 25-33, now renumbered 1-27*.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Melur Ramakrishnaiah
Primary Examiner
Art Unit: 2643

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 25: Replace, "The security system of claim 24" with, -- The security system of claim 21--;

Claim 26: Replace, "The security system of claim 24" with, -- The security system of claim 21--;

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643

COPY

Form PTO-948 (Rev. 06/03)
Application No. 09/845768

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 5/1/01 are:

A. ___ approved by the Draftsperson under 37 CFR 1.84 or 1.152.

B. X objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).
___ Color drawings are not acceptable until petition is granted. Fig(s)_____
___ Pencil and non black ink not permitted. Fig(s)____

2. PHOTOGRAPHS. 37 CFR 1.84(b)
___ One (1) full-tone set is required. Fig(s)_____
___ Photographs may not be mounted. 37 CFR 1.84(e)
___ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s)_____
___ Poor quality (half-tone). Fig(s)_____

3. TYPE OF PAPER. 37 CFR 1.84(e)
___ Paper not flexible, strong, white, and durable. Fig(s)_____
___ Erasures, alterations, overwritings. interlineations, folds, copy machine marks not accepted. Fig(s)_____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
21.0 cm by 29.7 cm (DIN size A4) or
21.6 cm by 27.9 cm (8 1/2x 11 inches)
___ All drawing sheets not the same size. Sheet(s)_____
___ Drawings sheets not an acceptable size. Fig(s)____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
___ Margins not acceptable. Fig(s)_____
X Top (T) X Left (L)
_____ Right (R) _____ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)
REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.
___ Views not labeled separately or properly. Fig(s)_____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)
____ Sectional designation should be noted with Arabic or Roman numbers. Fig(s)_____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
___ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s)_____

9. SCALE. 37 CFR 1.84(k)
___ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s)_____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)
X Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-10-20

11. SHADING. 37 CFR 1.84(m)
___ Solid black areas pale. Fig(s) _____
___ Solid black shading not permitted. Fig(s)_____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)
___ Numbers and reference characters not plain and legible. Fig(s)_____
___ Figure legends are poor. Fig(s)_____
___ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s)_____
___ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s)_____
___ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s)_____

13. LEAD LINES. 37 CFR 1.84(q)
___ Lead lines missing. Fig(s)_____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)
___ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s)_____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)
___ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s)_____

16. DESIGN DRAWINGS. 37 CFR 1.152
___ Surface shading shown not appropriate. Fig(s)_____
___ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s)_____

COMMENTS:

3 200

Reviewer A. D

Date 4/20/04

If you have questions, call (703) 305-8404.

Attachment to Paper No. _____

02/09/04 19:11 FAX 001

****
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****

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ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
Phone: (314) 621-5070
Fax: (314) 621-5065
www.armstrongteasdale.com

CERTIFICATE OF FACSIMILE TRANSMISSION TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: *February 9, 2004*

Examiner: Melur Ramakrishnaiah	:	*RE: U.S. Patent Application*
Art Unit: 2643	:	*Serial No.: 09/845,768*
Fax: (703) 872-9306	:	*Applicant: John Todd Bergman, et al.*
From: Patrick W. Rasche	:	*Atty. Dkt. No.: 1420.001US1*

DOCUMENTS SUBMITTED WITH TRANSMISSION:

Request for Continued Examination (1 pg.); Amendment Transmittal (3 pgs.); Amendment in Response to Final Office Action dated October 9, 2003 (23 pgs.); and Certificate of Transmission Via Facsimile (1 pg.)

Total pages including cover page: 28
If all pages are not received, please contact: Michele at Ext. 7321

RE: The above referenced U.S. Patent Application
Title: WIRELESS PHONE INTER-FACE DEVICE
Filed: May 1, 2001

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number *(703) 872-9306* on the date shown below.

[signature]

3 2007

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ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
Phone: (314) 621-5070
Fax: (314) 621-5065
www.armstrongteasdale.com

CERTIFICATE OF FACSIMILE TRANSMISSION TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: *February 9, 2004*

Examiner: Melur Ramakrishnaiah	:	*RE: U.S. Patent Application*
Art Unit: 2643	:	*Serial No.: 09/845,768*
Fax: (703) 872-9306	:	*Applicant: John Todd Bergman, et al.*
From: Patrick W. Rasche	:	*Atty. Dkt. No.: 1420.001US1*

DOCUMENTS SUBMITTED WITH TRANSMISSION:
Request for Continued Examination (1 pg.); Amendment Transmittal (3 pgs.); Amendment in Response to Final Office Action dated October 9, 2003 (23 pgs.); and Certificate of Transmission Via Facsimile (1 pg.)

Total pages including cover page: 28
If all pages are not received, please contact: Michele at Ext. 7321

RE: The above referenced U.S. Patent Application
Title: WIRELESS PHONE INTER-FACE DEVICE
Filed: May 1, 2001

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number *(703) 872-9306* on the date shown below.

Date: February 9, 2004

Patrick W. Rasche, Reg. No.: 37,916

Via Facsimile: (703) 872-9306

COPY

PTO/SB/30 (09-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/845,768
Filing Date	May 1, 2001
First Named Inventor	John Todd Bergman, et al.
Art Unit	2643
Examiner Name	Melur Ramakrishnaiah
Attorney Docket Number	1420.001US1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

   a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

      i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

      ii. ☐ Other _____

   b. ☑ Enclosed

      i. ☑ Amendment/Reply (23 pgs.)

      ii. ☐ Affidavit(s)/ Declaration(s)

      iii. ☐ Information Disclosure Statement (IDS)

      iv. ☑ Other **Amendment Transmittal (3 pgs.,) and Certificate of Transmission Via Facsimile (1 pg.)**

2. Miscellaneous

   a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

   b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

   a. ☑ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2384

      i. ☑ RCE fee required under 37 CFR 1.17(e) **$770.00**

      ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

      iii. ☐ Other _____

   b. ☐ Check in the amount of $ _____ enclosed

   c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Patrick W. Rasche	*Registration No. (Attorney/Agent)*	37,916
Signature	Patrick W. Rasche	*Date*	February 9, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)			
Signature		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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DEC 6 2007

COPY

PATENT
Attorney Docket No.: 1420.001US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John Todd Bergman, et al.

Serial No.: 09/845,768

Filed: May 1, 2001

For: WIRELESS PHONE INTER-FACE DEVICE

Art Unit: 2643

Examiner: Melur Ramakrishnaiah

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

1. Transmitted herewith is: Request for Continued Examination (1 pg.); Amendment in response to Final Office Action dated October 9, 2003 (23 pgs.); and Certificate of Transmission via Facsimile (1 pg.).

STATUS

2. Applicant
   _____ claims small entity status.
   ✔ is other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION

CERTIFICATE OF MAILING BY EXPRESS MAIL TO THE COMMISSIONER FOR PATENTS
Express Mail No.: *ELUS*
Date: , 2003
__ I hereby certify that the documents listed above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to: Mail Stop: , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: February 9, 2004

FACSIMILE

✔ transmitted by facsimile to the Patent and Trademark Office
Via Facsimile: (703) 872-9306

Patrick W. Rasche
Reg No.: 37,916

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

(a) ✔ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
✔ first month	$ 110.00	$ 55.00
___ second month	$ 420.00	$ 210.00
___ third month	$ 950.00	$ 475.00
___ fourth month	$1,480.00	$ 740.00
___ fifth month	$2,010.00	$1,005.00

Fee: $110.00

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

___ An extension of _____ months has already been secured. The fee paid therefor $_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request $110.00

OR

(b) ___ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

COPY

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	SMALL ENTITY ADDITIONAL RATE FEE	OR	OTHER THAN SMALL ENTITY ADDITIONAL RATE FEE
TOTAL INDEP.		MINUS		=	x $9 = $		x $18 = $
TOTAL INDEP.		MINUS		=	x $43 = $		x $86 = $
___ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ $145 = $		+ $290 = $
					TOTAL ADDITIONAL FEE $	OR	TOTAL ADDITIONAL FEE $

(a) ✔ No additional fee for Claims is required

OR

(b) ____ Total additional fee for claims required $

FEE PAYMENT

5. ____ Attached is a check in the sum of $_____

✔ Charge Deposit Account No. 01-2384 the sum of $110.00.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

6. ✔ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

✔ If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7. ____ Other:

Patrick W. Rasche
Reg. No.: 37,916
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102
314/621-5070

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1420.001US1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John Todd Bergman, et al.	:	Art Unit: 2643
Serial No.: 09/845,768	:	Examiner: M. Ramakrishnaiah
Filed: May 1, 2001	:	
For: WIRELESS PHONE-INTERFACE DEVICE	:	

AMENDMENT AFTER FINAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Office Action dated October 9, 2003, and made final, Applicants respectfully request entry and consideration of the following amendment.

IN THE CLAIMS

1. (currently amended) A method at a phone-interface device, comprising:

receiving a provisional-alarm report;

determining whether a disarm command has been received subsequent to receipt of the provisional-alarm report;

when a disarm command has not been received before expiration of a period of time, sending a system condition to a monitoring station including seizing a telephone line; ~~and~~

calling the monitoring station via the telephone line; ~~and~~

determining whether the calling element is successful, and when the calling element is not successful, sending the alarm condition to the monitoring station via an alternative communications link; and

determining whether a trouble condition exists at the phone interface device and if it exists, communicating the trouble condition to the control panel via a transmitter located at the phone interface device.

2. (original) The method of claim 1, wherein the provisional-alarm report is received via a wireless signal.

3. (original) The method of claim 2, wherein the wireless signal is a radio frequency signal.

4-6. (canceled)

7. (currently amended) A phone-interface device, comprising:

a receiver to receive a wireless signal from a control panel, wherein the wireless signal encodes information regarding a system condition;

a transmitter to transmit data via wireless communication about trouble conditions to a receiver at the control panel; and

a phone port to connect to a communications link, wherein the phone port is to dial a telephone number of a monitoring station in response to receiving the wireless signal and the communications link is at least one of an ISDN line and wireless.

8. (original) The phone-interface device of claim 7, wherein the communications link is a telephone line.

9-10 (canceled)

11. (currently amended) A phone-interface device, comprising:

a phone port to draw electrical energy from a phone line, wherein the phone port is part of a premise phone system, and wherein the electrical energy drawn from the phone line is within a current and voltage profile of the premise phone system; and

a transmitter to transmit data via wireless communication about trouble conditions to a receiver at a control panel.

12. (original) The phone-interface device of claim 11, further comprising:

an energy storage device, wherein the electrical energy drawn from the phone line charges the energy storage device.

13. (original) The phone-interface device of claim 12, wherein the energy storage device is a battery.

14. (original) The phone-interface device of claim 12, wherein the energy storage device is a capacitor.

15. (original) The phone-interface device of claim 12, wherein the electrical energy is drawn from the phone line during a phone line state of ringing.

16. (original) The phone-interface device of claim 12, wherein the electrical energy is drawn while a premise phone is off-hook.

17. (original) The phone-interface device of claim 12, wherein the electrical energy is drawn while the phone port checks the line for proper voltages and currents.

18. (original) The phone-interface device of claim 12, wherein the electrical energy is drawn while the phone port is dialing.

19. (original) The phone-interface device of claim 12, wherein the electrical energy is drawn during a connected call.

20. (original) The phone-interface device of claim 12, wherein the electrical energy is drawn after an off-premise call has hung up.

21. (currently amended) A security system, comprising:

a control panel to receive a sensor event from a security device, to translate the sensor event into a system condition, and to transmit a wireless signal to a phone-interface device, wherein the wireless signal encodes information regarding the system condition; and

a phone-interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions to said control panel receiver, wherein the phone-interface device is packaged separately from the control panel,

wherein the phone-interface device receives direct electric current from an energy storage device.

22. (original) The security system of claim 21, wherein the phone-interface further comprises a phone port to connect to a telephone line, wherein the phone port is to dial a telephone number of a monitoring station in response to receiving the wireless signal.

23. (original) The security system of claim 21, wherein the control panel receives alternating electric current.

24. (canceled)

25. (original) The security system of claim 24, wherein the energy storage device comprises a battery.

26. (original) The security system of claim 24, wherein the energy storage device comprises a capacitor.

27. (original) The security system of claim 21, wherein the phone-interface device receives electrical power from a telephone line.

28. (original) The security system of claim 21, wherein the phone-interface device is mounted in a separate enclosure from the control panel.

29. (original) The security system of 21, wherein the phone-interface device is mounted in a separate enclosure from an input device.

30. (original) The security system of 21, wherein the phone-interface device is mounted in ~~a separate enclosure from~~ a siren.

31. (currently amended) A program product comprising a signal-bearing media bearing instructions, which when read and executed by a processor, comprise:

determining whether a trouble condition exists at a phone interface device and if it exists, communicating the trouble condition to a control panel via a transmitter located at the phone interface device;

receiving a provisional-alarm report at the phone interface device;

determining whether a disarm command has been received subsequent to receipt of the provisional-alarm report; ~~and~~

when a disarm command has not been received before expiration of a period of time, sending a system condition to a monitoring station including seizing a telephone line, and calling the monitoring station via the telephone line; and

determining whether the calling is successful, and when the calling is not successful, sending the alarm condition to the monitoring station via an alternative communications link.

32. (original) The program product of claim 31, wherein the provisional-alarm report is received via a wireless signal.

33. (original) The program product of claim 32, wherein the wireless signal is a radio frequency signal.

34-35. (canceled)

Remarks

The Office Action mailed October 9, 2003 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-3, 7-8, 11-23, and 25-33 are pending in this application. Claims 1-3, 7-8, 11-23, and 25-33 stand rejected. Claims 4-6, 9-10, 24, and 34-35 have been canceled.

In accordance with 37 C.F.R. 1.136(a), a one month extension of time is submitted herewith to extend the due date of the response to the Office Action dated October 9, 2003, for the above-identified patent application from January 9, 2004, through and including February 9, 2004. In accordance with 37 C.F.R. 1.17(a)(3), authorization to charge a deposit account in the amount of $110 to cover this extension of time request also is submitted herewith.

The rejection of Claims 1-3 and 31-33 under 35 U.S.C. § 103(a) as being unpatentable over Brunius (US Patent No. 6,204,760B1) in view of Dop et al. (US Patent No. 4,888,290) is respectfully traversed.

Brunius describes a security system for a building that utilizes a main controller in communication with a unit controller that receives signals from at least one sensor. The unit controller communicates a provisional alarm to the main controller upon the sensing of a security condition.

Dop describes a cellular backup system for a standard security alarm network so that upon the inoperativeness of the telephone land line, automatic switchover to the cellular system is achieved.

Claim 1 recites a method "at a phone-interface device, comprising: receiving a provisional-alarm report; determining whether a disarm command has been received subsequent to receipt of the provisional-alarm report; when a disarm command has not been received before expiration of a period of time, sending a system condition to a monitoring station including seizing a telephone line; and calling the monitoring station via the telephone

line; determining whether the calling element is successful, and when the calling element is not successful, sending the alarm condition to the monitoring station via an alternative communications link; and determining whether a trouble condition exists at the phone interface device and if it exists, communicating the trouble condition to the control panel via a transmitter located at the phone interface device.

Brunius in view of Dop do not describe nor suggest determining whether a trouble condition exists at the phone interface device and if it exists, communicating the trouble condition to the control panel via a transmitter located at the phone interface device. Rather, Brunius and Dop are silent with regard to a phone interface device that determines whether a trouble condition exists and communicating the trouble condition to the control panel via a transmitter located at the phone interface device. For the reasons set forth above, Claim 1 is submitted to be patentable over Brunius in view of Dop.

Claims 2 and 3 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2 and 3 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2 and 3 likewise are patentable over Brunius in view of Dop.

Claim 31 recites a "program product comprising a signal-bearing media bearing instructions, which when read and executed by a processor, comprise: determining whether a trouble condition exists at a phone interface device and if it exists, communicating the trouble condition to a control panel via a transmitter located at the phone interface device; receiving a provisional-alarm report at the phone interface device; determining whether a disarm command has been received subsequent to receipt of the provisional-alarm report; when a disarm command has not been received before expiration of a period of time, sending a system condition to a monitoring station including seizing a telephone line, and calling the monitoring station via the telephone line; and determining whether the calling is successful, and when the calling is not successful, sending the alarm condition to the monitoring station via an alternative communications link.

Brunius in view of Dop et al do not describe nor suggest determining whether a trouble condition exists at a phone interface device and if it exists, communicating the trouble condition to a control panel via a transmitter located at the phone interface device. Rather Brunius and Dop et al are silent with regard to communicating a trouble condition to a control panel from a phone interface device. For the reasons set forth above, Claim 31 is submitted to be patentable over Brunius in view of Dop et al.

Claims 32-33 depend from Claim 31. When the recitations of Claims 32-33 are considered in combination with the recitations of Claim 31, Applicants submit that dependent Claims 32-33 likewise are patentable over Brunius in view of Dop et al.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-3 and 31-33 be withdrawn.

The rejection of Claims 7-8 under 35 U.S.C. § 103(a) as being unpatentable over Brunius in view of Dop and Peters (US Patent No. 5,717,379) is respectfully traversed.

Claim 7 recites a "phone-interface device, comprising: a receiver to receive a wireless signal from a control panel, wherein the wireless signal encodes information regarding a system condition; a transmitter to transmit data via wireless communication about trouble conditions to a receiver at the control panel; and a phone port to connect to a communications link, wherein the phone port is to dial a telephone number of a monitoring station in response to receiving the wireless signal and the communications link is at least one of an ISDN line and wireless.

Brunius and Dop are described above. Peters describes a remote monitoring system for monitoring properties of persons to be protected. The system describes at least one video pickup device positioned at the property to be protected.

Brunius in view of Dop et al and Peters do not describe nor suggest a transmitter to transmit data via wireless communication about trouble conditions to a receiver at the control panel. Rather, Brunius, Dop, and Peters are silent with regard to a phone interface device transmitter that transmits data via wireless communication about trouble conditions to a

receiver at the control panel. For the reasons set forth above, Claim 7 is submitted to be patentable over Brunius in view of Dop et al and Peters.

Claim 8 depends from independent Claim 7. When the recitations of Claim 8 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claim 8 likewise is patentable over Brunius in view of Dop et al and Peters.

The rejection of Claims 21-22 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Brunius in view of Heald et al (US Patent No. 5,553,138) is respectfully traversed.

Brunius is described above. Heald et al describes a computer system including a modem that communicates via a telephone line. The computer is charged during operation and receives power from a capacitor. Heald et al do not describe a security system telephone interface device.

Claim 21 recites a "security system, comprising: a control panel to receive a sensor event from a security device, to translate the sensor event into a system condition, and to transmit a wireless signal to a phone-interface device, wherein the wireless signal encodes information regarding the system condition; and a phone-interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions to said control panel receiver, wherein the phone-interface device is packaged separately from the control panel, wherein the phone-interface device receives direct electric current from an energy storage device."

Brunius in view of Heald do not describe nor suggest a phone interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions to said control panel receiver. Rather, Brunius and Heald are silent with regard the recited aspects of the phone interface device. For the reasons set forth above, Claim 21 is submitted to be patentable over Brunius in view of Heald.

Claims 22 and 27 depend from Claim 21. When the recitations of Claims 22 and 27 are considered in combination with the recitations of Claim 21, Applicants submit that dependent Claims 22 and 27 likewise are patentable over Brunius in view of Heald.

As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. The required teaching, suggestion and incentive supporting the Examiner's combination is absent here. Neither Brunius nor Heald et al teach or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicant respectfully submits that it would not be obvious to one skilled in the art to combine Brunius with Heald because there is no motivation to combine these references suggested in the art. The Examiner has not pointed to any prior art that teaches or suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown. Specifically, the Examiner has not pointed to any prior art that teaches or suggests a reasonable expectation of success or motivation in combining the references.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection

is apparently based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention.

Since there is no teaching, suggestion, or motivation in the cited references for the claimed combination recited in Claims 21, 22, and 27, the Section 103 rejection of Claims 21, 22, and 27 appear to be based on impermissible hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible.

Accordingly, for the reasons set forth above, Claims 21, 22, and 27 are submitted to be patentable over Brunius in view of Heald.

The rejection of Claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Brunius in view of Heald as applied to Claim 21 and further in view of Otto (US Patent No. 6,442,240B1) is respectfully traversed.

Brunius and Heald are described above. Otto describes a hostage negotiation system including a throw module and a command unit connected by a communication cable.

Claim 23 depends from Claim 21 which recites a "security system, comprising: a control panel to receive a sensor event from a security device, to translate the sensor event into a system condition, and to transmit a wireless signal to a phone-interface device, wherein the wireless signal encodes information regarding the system condition; and a phone-interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions to said control panel receiver, wherein the phone-interface device is packaged separately from the control panel, wherein the phone-interface device receives direct electric current from an energy storage device."

None of Brunius, Heald, nor Otto describe or suggest a security system including a phone-interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions

to said control panel receiver. Rather, Brunius, Heald and Otto are silent with regard to this aspect of the phone interface device.

In addition, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. The required teaching, suggestion and incentive supporting the Examiner's combination is absent here. None of Brunius, Heald, nor Otto teach or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicant respectfully submits that it would not be obvious to one skilled in the art to combine Brunius with Heald and Otto because there is no motivation to combine these references suggested in the art. The Examiner has not pointed to any prior art that teaches or suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown. Specifically, the Examiner has not pointed to any prior art that teaches or suggests a reasonable expectation of success or motivation in combining the references.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection

is apparently based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention.

Since there is no teaching, suggestion, or motivation in the cited references for the claimed combination recited in Claim 23, the Section 103 rejection of Claim 23 appears to be based on impermissible hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible.

Accordingly, for the reasons set forth above, Claim 23 is submitted to be patentable over Brunius in view of Heald, and further in view of Otto.

The rejection of Claims 25 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Brunius in view of Heald et al and further in view of Ulrich (US Patent No. 4,803,719) is respectfully traversed.

Brunius and Heald are described above. Ulrich describes a method for powering a telephone apparatus from the telephone line.

Claims 25 and 26 depend from Claim 21 which recites a ""security system, comprising: a control panel to receive a sensor event from a security device, to translate the sensor event into a system condition, and to transmit a wireless signal to a phone-interface device, wherein the wireless signal encodes information regarding the system condition; and a phone-interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions to said control panel receiver, wherein the phone-interface device is packaged separately from the control panel, wherein the phone-interface device receives direct electric current from an energy storage device."

None of Brunius, Heald, nor Ulrich describe or suggest a security system including a phone-interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions

to said control panel receiver. Rather, Brunius, Heald and Ulrich are silent with regard to this aspect of the phone interface device.

As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. The required teaching, suggestion and incentive supporting the Examiner's combination is absent here. None of Brunius, Heald et al, nor Ulrich teach or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicant respectfully submits that it would not be obvious to one skilled in the art to combine Brunius with Heald et al and Ulrich because there is no motivation to combine these references suggested in the art. The Examiner has not pointed to any prior art that teaches or suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown. Specifically, the Examiner has not pointed to any prior art that teaches or suggests a reasonable expectation of success or motivation in combining the references.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection

is apparently based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention.

Since there is no teaching, suggestion, or motivation in the cited references for the claimed combination recited in Claims 25 and 26, the Section 103 rejection of Claims 25 and 26 appear to be based on impermissible hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible.

Accordingly, for the reasons set forth above, Claims 25 and 26 are submitted to be patentable over Brunius in view of Heald et al. and further in view of Ulrich.

The rejection of Claims 28-30 under 35 U.S.C. § 103(a) as being unpatentable over Brunius in view of Heald as applied to Claim 21 above, and further in view of Addy (US Patent No.; 6,288,639B1) is respectfully traversed.

Brunius and Heald are described above. Addy describes a method for installing wireless security devices.

Claims 28-30 depend from Claim 21 which recites a ""security system, comprising: a control panel to receive a sensor event from a security device, to translate the sensor event into a system condition, and to transmit a wireless signal to a phone-interface device, wherein the wireless signal encodes information regarding the system condition; and a phone-interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions to said control panel receiver, wherein the phone-interface device is packaged separately from the control panel, wherein the phone-interface device receives direct electric current from an energy storage device."

None of Brunius, Heald, nor Ulrich describe or suggest a security system including a phone-interface device comprising a receiver to receive the wireless signal from the control panel and a transmitter to transmit data via wireless communication about trouble conditions

to said control panel receiver. Rather, Brunius, Heald and Ulrich are silent with regard to this aspect of the phone interface device.

As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. The required teaching, suggestion and incentive supporting the Examiner's combination is absent here. None of Brunius, Heald, nor Addy teach or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicant respectfully submits that it would not be obvious to one skilled in the art to combine Brunius with Heald and Addy because there is no motivation to combine these references suggested in the art. The Examiner has not pointed to any prior art that teaches or suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown. Specifically, the Examiner has not pointed to any prior art that teaches or suggests a reasonable expectation of success or motivation in combining the references.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection

is apparently based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention.

Since there is no teaching, suggestion, or motivation in the cited references for the claimed combination recited in Claims 28-30, the Section 103 rejection of Claims 28-30 appear to be based on impermissible hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible.

Accordingly, for the reasons set forth above, Claims 28-30 are submitted to be patentable over Brunius in view of Heald, and further in view of Addy.

The rejection of Claims 11-12, 14, and 16-20 under 35 U.S.C. § 102(b) as being anticipated by Heald et al. (US Patent No. 5,553,138) is respectfully traversed.

Heald has been described above.

Claim 11 recites a "phone-interface device, comprising: a phone port to draw electrical energy from a phone line, wherein the phone port is part of a premise phone system, and wherein the electrical energy drawn from the phone line is within a current and voltage profile of the premise phone system; and a transmitter to transmit data via wireless communication about trouble conditions to a receiver at a control panel."

Heald et al do not describe a phone interface device comprising a transmitter to transmit data via wireless communication about trouble conditions to a receiver at a control panel. Rather, Heald et al describe a telephone modem for computer equipment and for a base station unit and Heald is silent with regard to a transmitter to transmit data via wireless communication about trouble conditions. Accordingly, Claim 11 is submitted to be patentable over Heald et al.

Claims 12, 14, and 16-20 depend from Claim 11. When the recitations of Claims 12, 14, and 16-20 are considered in combination with the recitations of Claim 11, Applicants submit that dependent Claims 12, 14, and 16-20 likewise are patentable over Heald et al.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 11-12, 14, and 16-20 be withdrawn.

The rejection of Claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Heald et al. in view of Ulrich is respectfully traversed.

Heald and Ulrich are described above. Claim 13 depends from Claim 11 which recites a "phone-interface device, comprising: a phone port to draw electrical energy from a phone line, wherein the phone port is part of a premise phone system, and wherein the electrical energy drawn from the phone line is within a current and voltage profile of the premise phone system; and a transmitter to transmit data via wireless communication about trouble conditions to a receiver at a control panel."

Neither Heald et al nor Ulrich describe nor suggest a security system phone interface device. In addition, neither Heald nor Ulrich describe a phone interface device that includes a transmitter to transmit data via wireless communication about trouble conditions to a receiver at a control panel. Rather, Heald et al describe a telephone modem for computer equipment and for a base station unit, and Ulrich describes an apparatus for a pay telephone, key telephone, or modem.

In addition, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. The required teaching, suggestion and incentive supporting the Examiner's combination is absent here. Neither Heald et al nor Ulrich teach or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicant respectfully submits that it would not be obvious to one skilled in the art to combine Heald et al with Ulrich because there is no motivation to combine these references suggested in the art. The Examiner has not pointed to any prior art that teaches or suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte

Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown. Specifically, the Examiner has not pointed to any prior art that teaches or suggests a reasonable expectation of success or motivation in combining the references.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is apparently based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention.

Since there is no teaching, suggestion, or motivation in the cited references for the claimed combination recited in Claim 13, the Section 103 rejection of Claim 13 appears to be based on impermissible hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible.

Accordingly, for the reasons set forth above, Claim 13 is submitted to be patentable over Heald et al. in view of Ulrich.

The rejection of Claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Heald et al. in view of MacTaggart (US Patent No. 5,446,784) is respectfully traversed.

Heald is described above. MacTaggart describes an apparatus for coupling a telephone line to a telephone line subscriber device.

Claim 15 depends from Claim 11 which recites a "phone-interface device, comprising: a phone port to draw electrical energy from a phone line, wherein the phone port is part of a premise phone system, and wherein the electrical energy drawn from the phone line is within a current and voltage profile of the premise phone system; and a transmitter to transmit data via wireless communication about trouble conditions to a receiver at a control panel."

Neither Heald et al nor MacTaggart describe nor suggest a security system phone interface device. In addition, neither Heald nor MacTaggert describe a phone interface device that includes a transmitter to transmit data via wireless communication about trouble conditions to a receiver at a control panel. Rather, Heald et al describe a telephone modem for computer equipment and for a base station unit, and MacTaggart describes an apparatus for coupling a telephone line to a telephone line subscriber device.

In addition, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. The required teaching, suggestion and incentive supporting the Examiner's combination is absent here. Neither Heald et al nor MacTaggart teach or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicant respectfully submits that it would not be obvious to one skilled in the art to combine Heald et al with MacTaggart because there is no motivation to combine these references suggested in the art. The Examiner has not pointed to any prior art that teaches or suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art,

and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown. Specifically, the Examiner has not pointed to any prior art that teaches or suggests a reasonable expectation of success or motivation in combining the references.

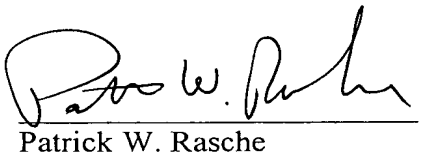
Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is apparently based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention.

Since there is no teaching, suggestion, or motivation in the cited references for the claimed combination recited in Claim 15, the Section 103 rejection of Claim 15 appears to be based on impermissible hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible.

Accordingly, for the reasons set forth above, Claim 15 is submitted to be patentable over Heald et al. in view of MacTaggart.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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